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In re Application of: Achilefu, et al.

Application No.: 10/680,338

Filed: 10/07/2003

For: NOVEL DYES FOR ORGAN FUNCTION MONITORING

The owner*, Mallinckrodt, Inc., of 100 percent interest in the instant application hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application which would extend beyond the expiration date of the full statutory term of any patent granted on pending **reference** Application Number 10/800,531, filed on 03/15/2004, as such term is defined in 35 U.S.C. 154 and 173, and as the term of any patent granted on said **reference** application may be shortened by any terminal disclaimer filed prior to the grant of any patent on the pending **reference** application. The owner hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and any patent granted on the **reference** application are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors or assigns.

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2. [X] The undersigned is an attorney or agent of record. Reg. No. 41,961

/Beverly A. Lyman/ — Signature
11/01/2007 — Date

Beverly A. Lyman — Typed or printed name

(513) 352-6596 — Telephone Number

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